

### **Remarks**

This Amendment and Response is considered fully responsive to the Final Office Action mailed January 22, 2007, and is being filed concurrently with an Request for Continued Examination (RCE). Claims 1-27 were pending in the application. Claims 1-27 stand rejected. In this Response, no claims are canceled. Claims 30 – 31 are added. Claims 1, 19 and 22 have been amended for clarification. No new matter has been introduced as a result of these new claims and amendments. Applicant respectfully requests entry of the amendments. Claims 1- 27 and 30 – 31 are now pending in the application. Reexamination and reconsideration are requested.

### **Rejections Under 35 U.S.C. § 102**

The Examiner has rejected claims 1-10, 13, 14, 19, 22, 26, and 27 under 35 U.S.C. § 102(e) as being anticipated by Falck, et al., U.S. Patent No. 6,360,265 (“Falck”). The Applicant respectfully traverses the rejection for at least the following reasons.

As presently understood by the Applicant, Falck generally relates to a method and apparatus for determining the best available destination multi-media server in a private network to process an incoming call. *Falck*, col. 3, ll. 22 – 37. Using a NAT, calls are distributed from one (the NAT) to many multi-media servers. *Id.* According to Falck, it is desirable to perform the IP datagram delivery without the use of a typical H.323 proxy. *Id.*, col. 2, ll. 62 – 65. The NAT recognizes a well-known port associated with an application and directs the multi-media call to the assigned destination multi-media server based on the well-known port. *Id.* col. 5, ll. 54 – 67.

By contrast, the present application relates to systems and methods for routing media *through* a VoIP network using a call signaling and media *proxy*. The VoIP network of the present Application refers to a managed, retail VoIP network. See Application, [0017], [0022]. The VoIP network is interconnected with, and provides communication to and from, one or more ISPs and/or PSTNs. *Id.* at [0022] – [0026]. As such, media packets associated with calls are routed through the managed VoIP network. When a client wishes to make a call to an end user connected to the PSTN, for example, a retail VoIP system selects one of a plurality of call signaling and media proxy servers that reside in the VoIP network. *Id.* at [0031]. The call is set up through the selected call signaling and media proxy server. *Id.* [0035] – [0037].

A call signaling and media proxy refers to a device that is typically set up at network interconnection points or otherwise strategic/logical points within a network that allow media to be *steered* to and from customers and to and from vendors. *Id.* at [0028]. The call signaling proxy also acts as an *entry point into a least cost routing mechanism* of the VoIP network. *Id.* at [0035]. A selected call signaling and media proxy server will facilitate setting up the call through the VoIP network by calling a selected gateway of the VoIP network. *Id.* at [0035]. In this manner, voice media traffic between a client device and the VoIP gateway can “remain on the VoIP network for the longest possible portion of its travel.” *Id.* at [0028].

Turning to the claims specifically, amended claim 1 recites, in part, at a VoIP retail service provider system, in response to receiving call signaling data from an originating VoIP network endpoint requesting to initiate a VoIP call, selecting a call signaling and media proxy in a managed wholesale VoIP network through which to route media packets associated with the VoIP call, and performing VoIP routing in the managed wholesale VoIP network, wherein the routing includes forcing the media packets associated with the VoIP call through one or more managed network elements of a specific Internet Protocol (IP) address with the selected call signaling and media proxy.

As presently understood by the Applicant, Falck fails to teach or reasonably suggest at least a VoIP retail service provider system selecting a call signaling and media proxy in a managed wholesale VoIP network and performing VoIP routing in the managed wholesale VoIP network including forcing the media packets associated with the VoIP call through one or more managed network elements of a specific IP address with the selected call signaling and media proxy.

Amended claim 19 recites in part, selecting, by the VoIP retail service provider system, a call signaling and RTP media proxy from among a plurality of RTP media proxies in a managed wholesale VoIP network through which to route media associated with the VoIP call, and directing, by the VoIP retail service provider system, the originating VoIP endpoint to use the selected call signaling and RTP media proxy within the managed wholesale VoIP network.

As presently understood by the Applicant, Falck fails to teach or reasonably suggest at least selecting, by the VoIP retail service provider system, a call signaling and RTP media proxy from among a plurality of RTP media proxies in a managed wholesale VoIP network through which to route media associated with the VoIP call, and directing, by the VoIP retail service

provider system, the originating VoIP endpoint to use the selected call signaling and RTP media proxy within the managed wholesale VoIP network.

For at least the foregoing reasons, independent claims 1, 19 and 22, as well as their respective dependent claims, are believed to be allowable. Applicant respectfully requests withdrawal of the claim rejections.

### **Rejections Under 35 U.S.C. § 103**

The Examiner has rejected claims 11, 12, 20, 23, 24, and 25 under 35 U.S.C. § 103(a) as being unpatentable over Falck in view of Lee, U.S. Patent No. 7,047,561 ("Lee"). The Applicant respectfully traverses the rejection for at least the following reasons.

The Examiner has also rejected claims 15 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Falck in view of Chopra, et al., U.S. Patent No. 6,510,509 ("Chopra"). The Applicant respectfully traverses the rejection.

Applicant has reviewed Lee and Chopra and can find no disclosure or reasonable suggestion of the elements of claims 1, 19 and 20 that Falck fails to disclose or reasonably suggest. As such, dependent claims 11, 12, 20, 23, 24 and 25 are believed to be allowable for at least the same reasons as their respective base claims.

### **New Claims**

New claim 30 depends from claim 1 and further recites in part, directly routing the call to a selected one of the call signaling and media proxies. Support for claim 30 can be found in the specification as filed in at least paragraph [0038]. As presently understood by the Applicant, the art of record fails to teach or reasonably suggest at least directly routing the call to a selected one of the call signaling and media proxies.

New claim 31 depends from claim 1 and further recites, in part, advertising, by an Internet Service Provider (ISP) to the ISP's network, IP addresses of a group of call signaling and media proxies in the managed wholesale VoIP network, to form a connection between the ISP and the managed wholesale VoIP network that can be used by the ISP for VoIP traffic only. Support for claim 31 can be found in the specification as filed at least in paragraph [0039]. As presently understood by the Applicant, the art of record fails to teach or suggest at least advertising, by an Internet Service Provider (ISP) to the ISP's network, IP addresses of a group of call signaling and media proxies in the managed wholesale VoIP network, to form a

connection between the ISP and the managed wholesale VoIP network that can be used by the ISP for VoIP traffic only.

For at least these additional reasons, claims 30 and 31 are believed to be allowable.

### **Conclusion**

Claims 1 – 27 and 30 – 31 are currently pending in the application. Applicant has fully responded to each and every objection and rejection in the Office action dated January 22, 2007 and believes that claims 1 – 27 and 30 – 31 are in a condition for allowance. Applicant therefore requests that a timely Notice of Allowance be issued in this case.

A petition for extension of time and a Request for Continued Examination have been submitted with this response along with the required fees. The Applicant believes no additional fees or petitions are due with this filing. However, should any such fees or petitions be required, please consider this a request therefor and authorization to charge Deposit Account No. 50-3199 as necessary.

If the Examiner should require any additional information or amendment, please contact the undersigned attorney. If the Examiner believes any issues could be resolved via a telephone interview, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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